

### REMARKS

Claims 1-16 are pending in the application. Claims 1-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (6,545,660) and Small et al. (5,898,434).

Applicant respectfully requests reconsideration in view of the foregoing amendments and the remarks hereinbelow.

#### Rejection of Claims under 35 U.S.C. 103:

Claims 1-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (6,545,660) and Small et al. (5,898,434). According to the Office Action of October 24, 2004 Shen et al. describes the following:

*1. A user friendly display with picture indicia (Figures 3, 6, column 4, lines 39 – 57), in response to an on-screen user input, identifying a plurality of pictures as belonging to a group (column, 3, lines 38 – 45), column 4 lines 40-55), and*

It is the applicant's position that the cited portions of Shen et al. do not teach or suggest the limitations of claim 1 as amended. Specifically, Shen at Figs. 3 and 6 show a method wherein a plurality of pictures that already belong to a category i.e. people, calendar, location, events and the like can be called up based upon a user input. However, there is no method step that senses in response to on-screen user input that identifies a plurality of pictures as belonging to a group. Simply stated, the groupwise relationships of Shen et al. are predefined groupings and the user input suggested in Figs. 3 and 6 merely shows a sorting system that allows a user to pick a category based search of the images. This interpretation is supported by the cited language of Col. 4, lines 12-24 which state:

*FIG. 2 shows icons of the place mat or control panel 200 in greater detail. Each user control panel includes the following icons: an inkpadd 210, a keyboard 220, a people 230, a calendar 240, a work space 250, a new 260, a location 270, an events 280, a show 290, and a summary 295. A mouse or a touch sensitive technique can be used to activate the icons of the control panels 200. Initially, the icons are displayed as black on a white background, but when an icon is activated or selected, the icon is displayed in full color.*

*The inkpadd icon 210 switches operation to a mode where a pointing device, e.g., a mouse or a finger, can be used to select an area of the displayed image, see FIG. 6. The keyboard icon, when*

*activated, displays a touch sensitive keyboard, see FIG. 19. The people icon 230 displays a people panel, see FIGS. 3-4. The calendar icon 240 displays images in a calendar view, see FIG. 5. The workspace icon 250 displays a workspace and any images that last were part of the work space. The work space behaves as a scratch or copy buffer. Pictures saved in the workspace can be later recovered.*

Accordingly, what is stated in this area is that a touch sensitive keyboard 220 can be displayed\ or an inkpad icon 210 can be provided. Further what is shown is a people icon 234 that, when depressed displays a people panel illustrated in Figs. 3 and 4. As can be seen in Figs. 3 and 4, the people icon causes the display to be limited to pictures that show people. Similarly, the calendar icon displays a calendar-based view of the pictures.

***2. Accepting metadata input on screen by the user, characterizing the group of pictures (column 4 lines 12-24 and 40-55) and accepting metadata input on screen by the user, characterizing the group of pictures (column 4, lines 12-24 and lines 40 - 55).***

Here too, it is the Applicants' position that Shen et al. does not support the rejection. Specifically, it is the Applicants' position that the material at Col. 4, lines 12-24 supports this construction:

*FIG. 2 shows icons of the place mat or control panel 200 in greater detail. Each user control panel includes the following icons: an inkpad 210, a keyboard 220, a people 230, a calendar 240, a work space 250, a new 260, a location 270, an events 280, a show 290, and a summary 295. A mouse or a touch sensitive technique can be used to activate the icons of the control panels 200. Initially, the icons are displayed as black on a white background, but when an icon is activated or selected, the icon is displayed in full color.*

*The inkpad icon 210 switches operation to a mode where a pointing device, e.g., a mouse or a finger, can be used to select an area of the displayed image, see FIG. 6. The keyboard icon, when activated, displays a touch sensitive keyboard, see FIG. 19. The people icon 230 displays a people panel, see FIGS. 3-4. The calendar icon 240 displays images in a calendar view, see FIG. 5. The workspace icon 250 displays a workspace and any images that last were part of the work space. The work space behaves as a scratch or copy buffer. Pictures saved in the workspace can be later recovered.*

Thus, what is described here is the existence of annotation tools that could be used to enter metadata. Nothing in this section describes any way in which such tools could be used to effect the association of metadata with more than one picture at a time – i.e. a group. The other cited portion of Shen et al. does not address this issue either, in particular: column 4, lines 40-55 of Shen et al. states as follows:

*FIG. 3 shows the arrangement of the pictures when the people icon 230 is activated or selected. In this case, each picture 105 includes a picture of one or persons, and annotation text identifying the people in the pictures. Initially, the pictures are shown using a gray scale. If a specific picture 105 is specifically selected, then that picture is shown in full color.*

*The picture is shown with an orientation towards the control panel from where the selection took place. i.e. generally facing the user that selected the picture. Should another user subsequently want to view the same picture, selection will rearrange and reorientate the picture in the overall image accordingly. FIG. 4 shows two selected pictures 105, and a tab area 400 where the selections, e.g., "Nadine" and "Mux," are marked with an "x" 401. Pointing at the "X" will deselect the picture.*

Here too, it is the applicants Shen et al. merely notes that a specific a picture can be selected and that pictures can be shown in association with text. This section of Shen et al. does not show where or how the text is entered and clearly does not describe any of the steps of: providing a single information entry area for receiving information about the group of pictures; accepting metadata input on-screen by said user to the information entry area, said metadata characterizing said group of pictures; and automatically associating the accepted metadata with the pictures of the group. Shen et al. does discuss, in Col. 3 that annotation individual pictures is possible using the system described therein. However, Shen et al. does not discuss the way in which this is done. Further, Shen et al. fails to teach or suggest that any type of annotation can be made in any way other than on a picture by picture basis.

***3. Shen et al. do not specifically go into the details of the single information entry area accepting and containing (inputted) metadata information about the group and automatically associating the accepted metadata with the pictures of the group but do mention efficient user access to a grouping on a display.***

The applicants agree with this contention only insofar as it concedes that Shen et al. alone does not provide either of a single information receiving area or automatically associating metadata with a group of images. The effect of efficient presentation of groups of pictures actually teaches away from the claims in this matter as such groups are automatically determined groups such as image groups that are automatically organized based upon the calendar or image type groupings.

*4. In Small et al. a single entry area accepting and containing (inputted) information about a group of data items (Figures 5b, 8b, 14c, 25, column 6, lines 30-35, column 7, lines 24-45) and automatically associating the accepted metadata with the pictures of the group (column 7, lines 55-67, column 9, lines 35-65) This is done for efficient user access to a grouping on the display.*

Small however, is not directed to this purpose. In Small et al., a user interface having a plurality of user interface elements for marking, finding, organizing, and processing data stored in a computer system. Each element typically has an appearance that is related to the data or function the element is designed to represent or perform. The elements may simply mark data within the document, or may be programmed to cause the computer to perform some function in association with the marked data. Methods of marking data and searching the memory for marked data by use of switches or buttons are disclosed. Further, useful elements for systems such as computerized camera systems, portable multimedia systems, and remote controls are also described. Some of the user interface elements of the present invention may have an appearance and/or functionality dependent upon the context in which the element is used, and/or dependent upon the user's identity. Methods for arranging the elements in stacks, and for providing for automatic application of elements to captured image data are also disclosed.

It will be appreciated that, in Small et al., what is provided is a display screen that is capable of presenting pages having data thereon. A user has access to a menu of elements that the user can apply to the data. In some cases, a user can select data for marking by encasing the data within a box that is defined using a special mode of operation of the element c.f. Figs. 5b and 8b. However, this system has an inherent drawback – it requires that a separate grouping step must be made for each association. That is, the step of grouping as illustrated in Figs.

5b and 8b is INEXTRICABLY TIED to the element because the element icon is used to define the grouping (see Col. 11, lines 21 - 55). In what is illustrated in Fig. 5b, the light bulb element instance 86 is to be applied to the data displayed on the screen. The light bulb element instance 86 is then applied in a particular manner to allow for such grouping and the association is done in that manner so that the grouping has an association with the light bulb element instance 98. However, if the user wishes to apply any other element to the same grouping the user must start over with a new element instance and perform the step of regrouping. This can be challenging to perform particularly on small screens. Further, the approach of Small et al. is substantially less efficient than the claimed method.

With the claimed methods and apparatus, once that a grouping is formed, any number of actions and associations can be made with the grouping simply by accepting metadata input on-screen by said user to the information entry area, said metadata characterizing said group of pictures. Once that all of the desired information is entered, an association can be made between the entered metadata and all of the images in the group. Small et al. therefore differs from the present invention in two key ways: Small et al. requires an additional step of regrouping for each different association to be made with a group and Small et al. limits the type of associations that can be made to the set of predefined elements allowed by the system.

It is respectfully submitted, therefore, that in view of the above amendments and remarks, that this application is now in condition for allowance, prompt notice of which is earnestly solicited.

Respectfully submitted,



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